



Armstrong & Associates, Inc.

321 South Forrest Street

Stoughton, WI 53589

608-873-8929

FAX 608-873-5509

DEPT. OF TRANSPORTATION
PO BOX 1200

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May 12, 1999

BTS-99-5889-14

Mr. David Mednick, Director
Bureau of Transportation Statistics
Department of Transportation
400 Seventh Street, SW
Washington, DC 20590

RE: Exemption From Financial Reporting - Leprino Transportation Company
MC- 150255 DOT 157580
PO Box 17989, Denver, CO 802 17

Dear Mr. Mednick:

Pursuant to Title 49 U.S.C. 14123 (c)(1) and 49 CFR 1420.8, Leprino Transportation Company respectfully requests that the Secretary of Transportation grant an exemption from the otherwise applicable requirement at 49 U.S.C. 14123 (a) and 49 CFR 1420.1, to file financial safety reports on an annual basis, and to extend such exemption to any quarterly, periodic, or special reports that the Secretary may subsequently prescribe. In the alternative, and pursuant to 49 U.S.C. 14123 (c)(92)(A) and 49 CFR 1420.9, Leprino Transportation Company requests an exemption from the public disclosure of any information that may be filed. During the pendency of this request, Leprino Transportation Company presumes that the information it has filed to date will be handled confidentially, as provided for at 49 U.S.C. 14123 (c)(2)(D).

Leprino Transportation Company will show that an exemption is necessary to avoid harming its competitive position in the trucking industry, and to preserve confidential business information that is privileged or qualified and is not publicly available.

Our trucking subsidiary is wholly owned by Leprino Foods Company. The primary business of Leprino Foods Company is the making and processing of cheeses for making pizza. Leprino Foods is a privately-held company, owned by one individual.

Leprino Transportation Company is a wholly-owned subsidiary. Leprino Transportation Company is a carrier which obtained operating authority many years ago to make its operations more efficient. As a privately-held enterprise, Leprino Transportation Company neither files with the Securities and Exchange Commission nor makes its financial information otherwise publicly available. Knowledge of financial information is limited to its employees, owner and lenders.

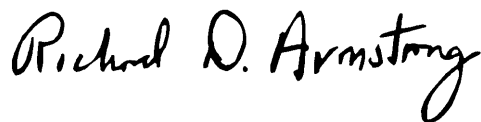
Filing a balance sheet and income statement, among other reports, places our company at a severe disadvantage competitively for the following reasons:

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- The Bureau currently obtains reports from only part of the carriers who are required by law to file them. Our best estimate is that there are more than 600 carriers who are required to file annual reports but are not filing them. We have a host of Class 1 & 2 competitors who do not file annual or other reports with the Bureau. A short list of some carriers who have not filed is attached as Appendix 1.
- We have a host of Class 3 competitors who file no reports but can regularly use rate & financial information about our company to our disadvantage. For example, our **revenue-per-mile** and **cost-per-mile** statistics are readily available as a result of public disclosure. These statistics are fundamental to motor carrier rate setting.
- Our financial information concerning overall costs, fuel costs, driver and equipment costs can be used against us by shippers with whom we negotiate. Shippers regularly attempt to hold carriers rates at a level below cost plus. Often we are confronted with rates that make less than or full contribution to fixed expenses
- Moreover our financial information is kept in a different format and has to be converted to the M-1 form.
- Maintaining and converting the information to the required format costs us several thousand dollars per year.
- In addition to disadvantaging Leprino Transportation Company, the information disclosed also puts our parent company, Leprino Foods Company, at a competitive disadvantage since a significant amount of information relative to its finances is revealed in the filing.

Having demonstrated that Leprino Transportation Company is not publicly held and not subject to the reporting requirements of the Securities and Exchange Commission, and having shown that exemption from disclosure is necessary to avoid competitive harm, Leprino Transportation Company suggests that it has shown that “an exemption from filing is required to avoid competitive harm and preserve confidential business information that is not otherwise publicly available”. Accordingly, Leprino Transportation Company requests that it be granted an exemption from complying with the financial reporting requirement at 49 U.S.C. 14123.

Respectfully submitted,



Richard D. Armstrong
Authorized Representative

cc: **Rama Chandrau**
Leprino Transportation Company
PO Box 17989
Denver, CO 802 17-0989

APPENDIX A

<u>CARRIER</u>	<u>HOME OFFICE</u>	<u>AUTHORITY NUMBER</u>
ABC Motor Freight, Inc.	Fairport Harbor, OH	MC23 1178
Harris Motor Express	Cincinnati, OH	MC146614
Action Carrier, Inc.	Sioux Falls, SD	MC149170
Duncan Truck Services, Inc.	Flandreau, SD	MC037490
Hargis Transport, Inc.	Huntsville, AR	MC200835
Armor Carriers, Inc.	Hopkins, MN	MC1991 10
August Deike Transfer, Inc.	Mankato, MN	MC99825
Basse Truck Lines, Inc.	San Antonio, TX	MC1 1603
Tex-0-Kan Transportation Co., Inc.	Ft Worth, TX	MC109064
Dolphin Cartage , Inc.	Chicago, IL	MC139205
Dew Distribution Services Inc.	Elk Grove Village, IL	MC196577
Beatrice Freight Line, Inc.	Lincoln, NE	MC152089
Adams & Son Trucking, Inc.	Sidney, NE	MC200095
Billings Freight Systems, Inc	Lexington, NC	MC2473
Dixie Trucking Co., Inc.	Charlotte, NC	MC120368
C & W Transportation Co	Ft Collins, CO	MC1 13398
Eastern Plains Express, Inc.	Commerce City, CO	MC151910
H.O. Kline Transportation, Inc.	New Castle, DE	MC109937
Carroll Bros. Express, Inc.	Millers Falls, MA	MC99992
Denka Trucking	Roslindale, MA	MC179092
Carter Cartage Co., Inc.	Indianapolis, IN	MC 147704
Hiner Transport, Inc.	Huntington, IN	MC124344
Deep South Trucking, Inc.	Purvis, MS	MC147318
Fayard Moving & Tpn Corp	Gulfport, MS	MC65088
Delmot Motor Express, Inc.	Elmira, NY	MC14903
Buanno Transportation Co., Inc.	Ft Johnson, NY	MC1 13047
Denali Transportation	Fairbanks, AK	MC 118494
Air Land Transport, Inc.	Anchorage, AK	MC1 19402
Diggins & Rose , Inc.	Hudson, NH	MC63837
Currier Trucking Corp., Inc.	Gorham, NH	MC128639
Dotseth Truck Lines, Inc.	Knapp , WI	MC20992
Adams Transit, Inc.	Friesland, WI	MC139577
Double VV, Inc.	Kansas City, KS	MC279298
Magill Truck Lines, Inc.	Wichita, KS	MC123649
Eastern Service Corp	Columbus, GA	MC185835
Benton Express, Inc.	Atlanta, GA	MC1 10410
B.R. Williams Trucking, Inc.	Oxford, AL	MC126542
Alabama Freight, Inc.	Birmingham, AL	MC99161
West Ex	Phoenix, AZ	MC159401
Citizen Express Line	Nogales , AZ	MC54541
Hatcher Trucking Co., Inc.	Roanoke, VA	MC10169
Crewe Transfer, Inc.	Crewe, VA	MC36222
Henry Transportation, Inc.	St. Louis, MO	MC146268
Cetco, Inc.	Sugar Creek, MO	MC61955
Highway Carrier Corp	Des Moines, IA	MC106200
Park Trucking, Inc.	E. Hartford, CT	MC120060
Valleries Transportation Service, Inc.	Norwalk, CT	MC75543

<u>CARRIER</u>	<u>HOME OFFICE</u>	<u>AUTHORITY NUMBER</u>
Parks Moving & Storage, Inc.	Warrendale, PA	MC1 10746
Genie Trucking Line, Inc.	Carlisle, PA	MC143394
Pacific Storage Co.	Stockton, CA	MC3500
Pacific Transportation	Tacoma, WA	MC127090
Maust Transfer	Seattle, WA	MC136798
Parcel Delivery Service, Inc.	Keamy, NJ	MC88845
Riteway Express, Inc.	Elmwood Park, NJ	MC1668
Utah Idaho Freight System, Inc.	Salt Lake City, UT	MC158140
Colt Trucking Co.	Salt Lake City, UT	MC178933
United Express	Bells, TN	MC144640
Trans-Carriers, Inc.	Memphis, TN	MC163372
Tower Central, Inc.	Wheeling, WV	MC216896
Total Distribution, Inc.	Nitro, WV	MC-
Transconex, Inc.	Miami, FL	MC199451
Lykes Transport, Inc.	Richland, FL	MC146944
Stewart*Stiles Truck Line, Inc.	Cornelius, OR	MC75623
Wymore Transfer Co., Inc.	Clackamas, OR	MC475
Stephans Truck Lines, Inc.	Bossier, LA	MC209316
Haynes Motor Lines, Inc.	Baton Rouge, LA	MC107878
Hazard Express, Inc.	Hazard, KY	MC58777
Kato Express, Inc.	Elizabeth Town, KY	MC124783
Zirbel Transport, Inc.	Lewiston, ID	MC92633
New Meadows Auto Freight, Inc.	Grangeville, ID	MC28333
All Freight Dist Co., Inc.	Baltimore, MD	MC62978
Serv U Inc.	Baltimore, MD	MC111882
Hare Express, Inc.	Troy, MI	MC174202
LaFond Express, Inc.	Romulus, MI	MC163655
Molerway Freight Lines, Inc.	Billings, MT	MC135621
Quality Transportation, Inc.	Baker, MT	MC185031
Crosscountry Courier, Inc.	Bismark, ND	MC209657
Magnum Transportation	Fargo, ND	MC233791
Anderson & Sons Trucking Co., Inc.	Reno, NV	MC147145
Main Liners Motor Express	Omaha, NV	MC120181
Turnpike Transit, Inc.	Tulsa, OK	MC121814
Triangle Express, Inc.	Oklahoma City, OK	MC99775
Eastern Freight Forwarding, Inc.	Pawtucket, RI	MC-
J & L Transport	Little Compton, RI	MC 170449
Standard Corp	Columbia, SC	MC570660
Santee Carriers, Inc.	Holly Hill, SC	MC127625
Woko Transportation Services	Cape Elizabeth, ME	MC197556
Sargent Trucking, Inc.	Mars Hill, ME	MC173802
Island Movers, Inc.	Honolulu, HI	MC135534
Big Isle moving & Draying, Inc.	Hilo , HI	MC-
L.L. Smith Trucking	Riverton, WY	MC105006
BDR Transport, Inc.	Bellows Falls, VT	MC134806
Goddards Transportation, Inc.	Fair Haven, VT	MC106748